

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

HODELL-NATCO INDUSTRIES, INC.)	CASE NO. 1:08 CV 2755
)	
Plaintiff,)	JUDGE WELLS
)	
v.)	<u>UNOPPOSED MOTION TO</u>
)	<u>EXCEED PAGE LIMITATION</u>
SAP AMERICA, INC., et al.)	
)	
Defendants.)	
)	

Defendants SAP America, Inc. and SAP AG (collectively “SAP”), by and through their undersigned attorneys, hereby request that the Court enter an order, in the form of the proposed order attached hereto, granting SAP’s motion to exceed the page limitation on memoranda for dispositive motions. In support of this motion, counsel for SAP state as follows:

1. This civil action is a complex case involving a software implementation.
2. SAP is facing Plaintiff's claims of fraud and breach of warranty, as well as cross-claims of indemnity asserted by Defendants LSI-Lowery Systems, Inc. and The IBIS Group, Inc. (collectively "LSI").
3. In addition, SAP has asserted counter-claims of indemnity.
4. The deadline for Defendants' dispositive motions is August 31, 2012.
5. SAP is in the process of preparing its motion for summary judgment and supporting memorandum.
6. SAP hopes to stay within the 30-page limit for dispositive memoranda in complex cases, but that may not be possible.
7. Accordingly, SAP requests permission to submit a memorandum in support of its

summary judgment motion that is not more than forty-five (45) pages in length.

8. SAP has conferred with the other parties regarding this motion. Plaintiff Hodell-Natco and the LSI Defendants do not object to SAP's motion to exceed page limitation.

WHEREFORE, the SAP Defendants request that this Court enter an order in the form attached hereto, granting permission to exceed the page limit for dispositive motion memoranda.

Respectfully submitted,

/s/ Charles W. Zepp
Leo M. Spellacy, Jr. (0067304)
Charles W. Zepp (0068129)
PORTER WRIGHT MORRIS & ARTHUR LLP
925 Euclid Avenue, Suite 1700
Cleveland, OH 44115-1483
(216) 443-9000 / Fax (216) 443-9011
czepp@porterwright.com

/s/ Gregory J. Star
Michael J. Miller (admitted *pro hac vice*)
Gregory J. Star (admitted *pro hac vice*)
Drinker Biddle & Reath LLP
One Logan Square, Suite 2000
Philadelphia, PA 19103-6996
Telephone: (215) 988-2700
Facsimile: (215) 988-2757
Attorneys for SAP America, Inc. and SAP AG

CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of August 2012, a copy of the foregoing Motion to Exceed was filed electronically. Parties may access this filing through the Court's electronic filing system.

/s/ Macavan A. Baird
Macavan A. Baird (admitted *pro hac vice*)